

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HARRY SMITH, JR. and
ROSLYN WOODARD SMITH,
Individually and as Administrators of
The ESTATE OF HARRY SMITH, III,

Plaintiffs,

v.

CIVIL ACTION NO. 04-1254-GMS

CITY OF WILMINGTON,

JOHN CIRITELLA, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

THOMAS DEMPSEY, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

and

MATHEW KURTEN, in his individual capacity
and in his official capacity as a police officer of
the Wilmington Police Department,

Defendants.

NOTICE OF SERVICE OF

PLAINTIFFS' RULE 26(a)(2) DISCLOSURE OF EXPERT TESTIMONY

JUNE 30, 2006

Please take notice that on June 30, 2006, plaintiffs served upon defendants their third Rule 26 (a) (2) disclosure of expert testimony, identifying former police officer Elbert Waters and providing all of the information required by Rule 26 (a) (2).

Dated this 30th day of June 2006.

s/ Anne T. Sulton

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2006, I electronically filed with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Attorney John Parkins

E-mail: Parkins@rlf.com

s/Anne T. Sulton

Anne T. Sulton